

Sunshine Fresh, Inc.

-and-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Commercial Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Sandra Rubin  
 Collections Department

In accordance with notice duly given, an Arbitration was held on **May 25, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of March 2006:

Local 174 Commercial Health Care Fund	\$10,176.00
Local 174 Commercial Pension Fund	\$ 2,300.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh, Inc.** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$10,176.00
Local 174 Commercial Pension Fund	\$ 2,300.00
Interest 18 % per annum	\$ 280.71
Liquidated Damages 20%	\$ 2,551.34
Sub-Total	\$15,308.05
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$16,908.05

Dated: May 25, 2006

William F. Clarke  
 William Clarke, Arbitrator

STATE OF NEW YORK  
 COUNTY OF NEW YORK

On this day of May 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

Tenisha H. Antone/Williamson  
 Notary Public

TENISHA H. ANTONE  
 Notary Public, State of New York  
 No. 01AN6089752  
 Qualified in Kings County  
 Commission Expires March 31, 2007

499 Sunshine Fresh, Inc.

-and-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Commercial Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Sandra Rubin  
 Collections Department

In accordance with notice duly given, an Arbitration was held on **June 28, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of ~~April 2006~~.

Local 174 Commercial Health Care Fund	\$10,176.00
Local 174 Commercial Pension Fund	\$ 2,300.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh, Inc.** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$10,176.00
Local 174 Commercial Pension Fund	\$ 2,300.00
Interest 18 % per annum	\$ 280.71
Liquidated Damages 20%	\$ 2,551.34
Sub-Total	\$15,308.05
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$16,908.05

Dated: June 28, 2006

*William F. Clarke*

William Clarke, Arbitrator

STATE OF NEW YORK  
 COUNTY OF NEW YORK

On this day of June 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

*Tenisha H. Antone (Williamson)*  
 Notary Public

TENISHA H. ANTONE  
 Notary Public, State of New York  
 No. 01009752  
 Qualified in Kings County

495 **Sunshine Fresh, Inc.**

-and-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Commercial Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Sandra Rubin  
 Collections Department

In accordance with notice duly given, an Arbitration was held on **July 27, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of May 2006 and June 2006

Local 174 Commercial Health Care Fund	\$19,754.00
Local 174 Commercial Pension Fund	\$ 4,500.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh, Inc.** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$19,754.00
Local 174 Commercial Pension Fund	\$ 4,500.00
Interest 18 % per annum	\$ 369.05
Liquidated Damages 20%	\$ 4,850.80
Sub-Total	\$29,473.85
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$31,073.85

Dated: July 27, 2006

*William Clarke*  
 William Clarke, Arbitrator

STATE OF NEW YORK  
 COUNTY OF NEW YORK

On this day of July 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

*Tenisha H. Antione*  
 Notary Public

TENISHA H. ANTIONE  
 Notary Public, State of New York  
 No. 01AN6089752  
 Filed in Kings County 07/29/06

495 **Sunshine Fresh**

-and-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Retail Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Francisco Rodriguez  
 Collections Department

In accordance with notice duly given, an Arbitration was held **September 28, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of July 2006

Local 174 Commercial Health Care Fund	\$9,328.00
Local 174 Commercial Pension Fund	\$2,100.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

**AWARD**

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$ 9,328.00
Local 174 Commercial Pension Fund	\$ 2,100.00
Interest 18 % per annum	\$ 257.13
Liquidated Damages 20%	\$ 2,337.03
Sub-Total	\$14,022.16
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$15,622.16

Dated: September 28, 2006

*William F. Clarke*  
 William Clarke, Arbitrator

STATE OF ~~NEW YORK~~ *Delaware*  
 COUNTY OF ~~NEW YORK~~ *Sussex*

*October 13,*

On this day of ~~September~~ *October* 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

Notary Public

*Deena M. Kenney*  
 DEENA M. KENNEY  
 NOTARY PUBLIC  
 STATE OF DELAWARE  
 My commission expires June 7, 2008

495 Sunshine Fresh Inc.

-and-

UFCW Local 174 Affiliated Funds

AWARD

Amalgamated Meat Cutters Employees  
of Greater New York

UFCW Local 174 Commercial Health Care Fund

UFCW Local 174 Commercial Pension Fund

## APPEARANCES

For the Employer

None

For the Fund

Francisco Rodriguez

Collections Department

In accordance with notice duly given, an Arbitration was held **October 26, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of August 2006

Local 174 Commercial Health Care Fund	\$ 8,730.00
Local 174 Commercial Pension Fund	\$ 2,000.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh Inc.** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$ 8,730.00
Local 174 Commercial Pension Fund	\$ 2,000.00
Interest 18 % per annum	\$ 241.43
Liquidated Damages 20%	\$ 2,194.29
Sub-Total	\$ 13,165.71
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$ 14,765.71

Dated: October 26, 2006

William Clarke  
William Clarke, Arbitrator

STATE OF NEW YORK  
COUNTY OF NEW YORK

On this day of October 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

Notary Public

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4/30/07

495 SUNSHINE FRESH, INC.

-And-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Commercial Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Brandi Lauletta  
 Fund Administrator

In accordance with notice duly given, an Arbitration was held on **December 28, 2006** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of October 2006

Local 174 Commercial Health Care Fund	\$9,414.00
Local 174 Commercial Pension Fund	\$1,900.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh, Inc** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$ 9,414.00
Local 174 COMMERCIAL Pension Fund	\$ 1,900.00
Interest 18 % per annum	\$ 84.86
Liquidated Damages 20%	\$ 2,262.80
Sub-Total	\$13,661.66
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$15,261.66

Dated: December 28, 2006

William Clarke  
 William Clarke, Arbitrator

STATE OF NEW YORK  
 COUNTY OF NEW YORK

On this day of December 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.

Tenisha H. Antone  
 Notary Public

TENISHA H. ANTONE  
 Notary Public, State of New York



495 SUNSHINE FRESH, INC.

-And-

UFCW Local 174 Affiliated Funds  
 Amalgamated Meat Cutters Employees  
 of Greater New York  
 UFCW Local 174 Commercial Health Care Fund  
 UFCW Local 174 Commercial Pension Fund

AWARD

## APPEARANCES

For the Employer  
 None

For the Fund

Brandi Lauletta  
 Fund Administrator

In accordance with notice duly given, an Arbitration was held on **January 25, 2007** at the office of Local 342, Amalgamated Meat Cutters/Retail Food Stores, Union located at 540 W. 48<sup>th</sup> Street, New York, NY 10036.

At the aforementioned time and place, the parties were afforded full opportunity to be heard, to offer evidence and argument and to examine and cross-examine witnesses. Witnesses were duly sworn prior to submitting testimony.

Pursuant to an agreement between the parties, the undersigned was duly designated Arbitrator to render a decision binding upon all parties, with regard to the following issue:

Unpaid contributions for the Local 174 Commercial Health Care and Local 174 Commercial Pension for the month (s) of November, 2006

Local 174 Commercial Health Care Fund	\$9,414.00
Local 174 Commercial Pension Fund	\$1,900.00

## Background:

The Union/Fund presented testimony and evidence in support of their contention that the Employer was delinquent in the payment of contributions to the Local 174 Commercial Health Care and Local 174 Commercial Pension Fund.

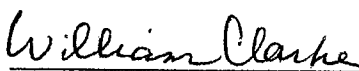
AWARD

Pursuant to a review of all testimony and evidence submitted at the Arbitration Hearing, it is the Award of the Arbitrator that: The Employer is delinquent in payment to the Local 174 Commercial Health Care Fund and Local 174 Commercial Pension Fund.

The Employer **Sunshine Fresh, Inc** is therefore directed to pay the amounts due to each of the funds in accordance with the following forthwith:

Local 174 Commercial Health Care Fund	\$ 9,414.00
Local 174 COMMERCIAL Pension Fund	\$ 1,900.00
Interest 18 % per annum	\$ 254.57
Liquidated Damages 20%	\$ 2,313.71
Sub-Total	\$13,882.28
Attorneys' Fees	\$ 800.00
Cost of Arbitration	\$ 800.00
Total	\$15,482.28

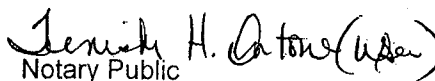
Dated: January 25, 2007



William Clarke, Arbitrator

STATE OF NEW YORK  
 COUNTY OF NEW YORK

On this day of December 2006 before me came William Clarke to me known to be the person described herein, and who executed the foregoing instrument and acknowledge that he execute same.



Notary Public

TENISHA H. ANTONE  
 Notary Public, State of New York